

CIVIL AVIATION MISSION

Exchange of notes at Bogotá October 23 and December 3 and 22, 1947

Entered into force December 22, 1947

*Superseded by agreement of January 17 and March 27, 1956*¹

62 Stat. 1884; Treaties and Other
International Acts Series 1738

The American Ambassador to the Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Bogotá, October 23, 1947

No. 23

EXCELLENCY:

I have the honor to refer to certain informal conversations between Dr. Mauricio Obregon, Director General Aeronautica Civil, and the Civil Air Attaché of this Embassy concerning the availability of a United States technical civil aviation mission to Colombia.

In this connection, I venture to set forth below for Your Excellency's information, the text of the conditions under which such a mission could be made available to the Colombian Government, should it so desire:

"Subject to the availability of suitable technicians and appropriated funds for the purpose and in accordance with the following conditions, the Government of the United States of America agrees to make available to the Government of Colombia the services of technicians in the field of civil aviation as requested by the Government of Colombia:

"1. The duration of the assignment of each technician shall be determined in accordance with the requirements in connection with the duties contemplated, except that, when legally and administratively possible, the assignments may be of indefinite duration subject to joint periodic review.

"2. The Government of the United States of America agrees to give the fullest consideration to any request of the Government of Colombia for an increase or decrease in the number of technicians originally furnished, or for the assignment of technicians in different fields of civil aviation.

"3. The Government of the United States of America shall designate a Chief of Mission authorized to represent the Mission before the Government

¹ 7 UST 715; TIAS 3550.

of Colombia. Mission members shall be selected by the Chief of Mission in collaboration with and subject to the approval of the Governments of Colombia and the United States of America and such members shall be responsible to the Chief of Mission. All members shall serve as advisors to the Government of Colombia in their respective fields but may volunteer opinions on related civil aviation matters when deemed advisable.

"4. Mission members, during the period the Mission is in operation and thereafter, undertake not to divulge or reveal in any form to any third Government or person confidential or secret matters of which they may become cognizant in the exercise of their duties.

"5. Compensation of Mission members shall not be subject to any tax now or hereafter in effect of the Government of Colombia or any of its political or administrative subdivisions. Should there, however, at present or while this agreement is in effect, be any taxes that might affect this compensation, such taxes shall be paid by the Government of Colombia in order to comply with the provisions of this paragraph.

"6. The Government of the United States of America shall pay the salary, allowances, travel expenses to and from Colombia, and any additional compensation of the technicians, subject to partial reimbursement by the Government of Colombia.

"7. The Government of Colombia shall reimburse the Government of the United States of America toward the expenses incurred in connection with the assignment of each technician at the completion of each six-month period of each assignment. However, for accounting and procedural reasons, it will not be necessary for the Government of Colombia to make any payments to the Government of the United States of America until such time as the Government of Colombia shall have received a statement of its obligations in this connection.

"8. The Government of Colombia shall provide for entry free of customs duties for supplies, materials and effects for the professional and personal use of the technicians.

"9. The Government of Colombia shall provide the technicians with means of transportation within Colombia, outside of the headquarters location, incurred in the conduct of their duties and pay the cost thereof, as well as the cost of acquisition of materials, equipment and facilities necessary to the conduct of the Mission.

"10. The Government of Colombia shall provide the technicians with suitably-equipped offices and adequate bilingual stenographic personnel and other employees, and bear the cost thereof.

"11. The Government of Colombia shall grant to authorized members of the Mission, approval to make flights in Colombia in aircraft of United States or Colombian registry as deemed necessary in the performance of their duties.

"12. The Government of Colombia shall permit the transportation of the body of any technician detailed under these conditions who may die in Colombia, to a place of burial in the United States of America selected by the surviving members of the family or their legal representatives.

"13. The Government of Colombia shall assume civil liability on account of damages to or loss of property or on account of personal injury or death caused by any member of the Mission while acting within the scope of his duties.

"14. The above conditions may be modified in whole or in part by an exchange of notes between the Government of the United States of America and the Government of Colombia."

I avail myself of this opportunity to extend to Your Excellency renewed assurances of my highest consideration and esteem.

WILLARD L. BEAULAC

His Excellency

DOMINGO ESGUERRA

Minister of Foreign Affairs

Bogotá

The Minister of Foreign Affairs to the American Ambassador

[TRANSLATION]

MINISTRY OF

FOREIGN RELATIONS

Bogotá, December 3, 1947

No. D-3548

MR. AMBASSADOR:

I have the honor to refer to note No. 23, of October 23 last, by means of which Your Excellency informed this Office of the conditions subject to which Your Excellency's Government would be disposed to make available to the Government of Colombia the services of a technical civil aviation mission.

I take pleasure in informing Your Excellency that my Government accepts the conditions which were submitted to it by Your Excellency, with the single reservation that for the application of the exemptions from customs duties provided for in Paragraph 8 of Your Excellency's note, it will be necessary, in each case, for the Chief of the mission to present the corresponding application, specifying therein the articles which are to be imported. Thereby the Members of the Civil Aviation Mission would be subject, with respect to the importation of articles for their personal or professional use, to regulations similar to those established for the members of the United States Military Mission which is now serving in Colombia.

I shall be grateful to Your Excellency if you will be so good as to inform me of your acceptance of the terms of the present note. I avail myself of this

occasion to renew to you the assurances of my highest and most distinguished consideration.

For the Minister, the Secretary General,
E. GUZMÁN ESPONDA

His Excellency

WILLARD L. BEAULAC

*Ambassador Extraordinary and Plenipotentiary of the
United States of America
City.*

The American Ambassador to the Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

December 22, 1947

No. 58

EXCELLENCY:

With reference to Your Excellency's note No. D-3548 of December 3, 1947, concerning conditions covering the proposed United States technical civil aviation mission to Colombia, I have the honor to inform Your Excellency that my Government accepts the reservation in connection with the exemption of customs duties, noted in paragraph 8 of the conditions, that in each case the Chief of Mission will present a request specifying therein the articles to be imported.

My Government is prepared to select the civil aviation technicians whom Your Excellency's Government may desire. Consequently, it would be appreciated if Your Excellency would furnish the Embassy with information concerning the number of technicians desired by the Government of Colombia; the subjects in which they should be specialists; the approximate date it is desired that they should arrive; the estimated duration of their tour of duty in Colombia; and any other data which Your Excellency's Government believes would be helpful in making the selection of the exact types of technicians desired.

I avail myself of this opportunity to extend to Your Excellency renewed assurances of my highest consideration and esteem.

WILLARD L. BEAULAC

His Excellency

DOMINGO ESGUERRA,

*Minister of Foreign Affairs,
Bogotá.*